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REMARKS

The present application contains claims 1-24, 26 and 28-30.

Subsequent to the Telephone Interview of January 20, 2004, Applicant submits amendments to the claims as described below.

Claims 1, 15, 22, 26, 28 and 30 have been amended to replace "TCP congestion window" with "congestion window". Support for the amendments can be found on page 6, lines 13-15, on page 11, lines 7-28, on page 12, lines 3-4, and on page 13 lines 8-9.

Claims 1, 7, 11, 12, 14, 15, 17, 20, 22, 28, 29 and 30 have been amended to replace "missing packet" with "missing data packet".

Claim 4 has been amended to recite "in response to the expiry of the round-trip timer". Support for the amendment can be found on page 5, lines 2-14.

Claims 11 and 29 have been amended to replace "first negative acknowledgement" and "second negative acknowledgement" with "negative acknowledgement" and "further negative acknowledgement", respectively. Support for the amendments can be found on page 4, lines 25-29.

As requested by the Examiner during the Telephone Interview, Applicant has amended dependent claims 2-10, 12-14, 16-21, 23, 24, 27 and 30 as follows:

1) replacing "A method" in dependent claims 2-10 with "The method";
2) replacing "An error recovery method" in dependent claims 12-14 with "The error recovery method";
3) replacing "A congestion control method" in dependent claims 16-21 with "The congestion control method"; and
4) replacing "A system" in dependent claims 23, 24 and 30 with "The system".

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In the Final Office Action, the Examiner rejected claims 1-30 under 35 U.S.C. 112, first paragraph, concerning certain terms in claims 1, 4, 7, 11, 15, 22, 26, 28, 29 and 30.

In view of the discussion of the Telephone Interview, claims 1, 4, 7, 11, 15, 22, 26, 28, 29 and 30 have been amended as described above. It is respectfully submitted that claims 1-24, 26 and 28-30 comply with 35 U.S.C. 112, first paragraph.

The Examiner rejected claims 1, 10-12, 14, 22-23 and 28-29 under 35 U.S.C. 102 as being anticipated by Hamilton et al. (US Patent No. 6,392,993), hereafter Hamilton. The Examiner further rejected claims 2, 9 and 13 under 35 U.S.C. 103(a) as being unpatentable over Hamilton and in view of Sen et al. (US Patent No. 6,208,620). The Examiner further rejected claim 3 under 35 U.S.C. 103(a) as being unpatentable over Hamilton and in view of Gersht et al. (US Patent No. 6,405,257). The Examiner further rejected claims 4-6, 15-16, 19, 25, and 30 under 35 U.S.C. 103(a) as being unpatentable over Hamilton and in view of Kumar (US Patent No. 6,269,080), hereafter Kumar. The Examiner further rejected claim 7 under 35 U.S.C. 103(a) as being unpatentable over Hamilton and in view of Natarajan et al. (US Patent No. 6,538,988), hereafter Natarajan. The Examiner further rejected claim 17 under 35 U.S.C. 103(a) as being unpatentable over Hamilton, in view of Kumar, and further in view of Dudley et al. (US Patent No. 5,754,754). The Examiner further rejected claim 20 under 35 U.S.C. 103(a) as being unpatentable over Hamilton, in view of Kumar, and further in view of Natarajan. The Examiner further rejected claims 24 and 27 under 35 U.S.C. 103(a) as being unpatentable over Hamilton, and further in view of Chien et al. (US Patent No. 5,815,667).

As proposed in the Telephone Interview, claims 1 and 28 have been amended to recite that data packets are transmitted in TCP. Claim 11 has been amended to recite that data is transmitted in TCP. Claims 15 and 26 have been amended to recite that a data packet is transmitted in TCP. Claim 22 has been amended to recite a transmitter for sending a sequence of data packers in TCP. Claim 29 has been amended to recite a transmitter for sending data as a sequence of data packers in TCP.

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Claims 1, 11, 15, 22, 26, 28 and 29 have been further amended to recite the term "Transportation Control Protocol (TCP)" at its first appearance in the claims.

The amendments to claims 1, 11, 15, 22, 26, 28 and 29 are fully supported by the application as originally filed. No new matter has been introduced by way of the amendments.

Applicant submits that the subject matters of claims 1-24, 26 and 28-30 are new and unobvious in view of the cited references.

Applicant respectfully requests reconsideration of this application, based on the foregoing amendments and remarks.

Respectfully Submitted,

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Date: March 1, 2004